

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of  
Promoting Investment in the 3550-3700 MHz Band

GN Docket No. 17-258

To the Commission:

Eastern Oregon Net, Inc. ("EONI") is an Internet Service Provider and, via our subsidiary PriorityONE Telecommunications, Inc., a voice services provider. Established in 1996, we have provided Internet access services since the early days of the commercial Internet. Our customers are a mix of small business and residential consumers, a few governmental and medical facilities, but the majority of our customers are residential. All are located in a very rural part of northeastern Oregon within these three counties: Baker, Union and Wallowa.

Approximately half of our three thousand (3,000) customers are served by fixed wireless facilities (unlicensed and "licensed lite"). In the nearly twenty-two years of existence, we have utilized wireless delivery methods in the following spectrums as permitted by the FCC: 900 MHz, 2.4 GHz, 5 GHz and 3.65 GHz. Today our customers served by our fixed wireless network receive Internet access at speeds up to 60Mbps. Our customers continue to consume every increasing amounts of Internet traffic, and their needs and wants with respect to Internet access escalate continuously.

EONI has provided service in very hard to reach communities within our service area when other providers, despite their rich subsidies (ie, Universal Service Funds, CAF, etc.), deep pockets and other substantial resources, have failed to do so. For us, the barriers include substantial geographic distances and very high mountain ranges, a lack of facilities available for carrying long haul IP traffic, and limits to available bandwidth. Despite this, we have built our own microwave extensive wireless network. Our network has evolved over these twenty plus years exclusively via private funding.

A major constraint in delivering service, as mentioned earlier, is available bandwidth. Prior to 2017, we have utilized the 3.65 GHz band primarily for point-to-point ("PTP") delivery as allowed under earlier FCC rules and licensing. This year, we have started deployment of equipment in the 3650-3700 MHz band. This has allowed us to reach additional customers with what we describe as "next generation" speeds ranging from 30 Mbps to 60 Mbps. These additional customers have all been difficult to serve due to non-line of sight (NLOS) conditions, or when able to be served depended on old equipment in the 900MHz band that could only deliver speeds up to 1 to 2 Mbps. Additionally, we have experienced less spectrum congestion in this band which facilitates ease of service deployment and more reliable service delivery. To say this has been game changing for both the customer and for us is an understatement.

Gaining an additional 100MHz of spectrum in the 3.65 GHz band would be incredibly useful to further expand reliable, high performance Internet access at speeds of 30 Mbps and beyond to many consumers in our rural location. Perhaps somewhat obvious to anyone familiar with fixed wireless networks, this reduces bandwidth congestion to a very large degree, making network planning and deployment easier, faster and less complicated, all of which means it costs less and can be extended further. Customers win in this scenario, and when customers win, as a business we win.

In planning our investment in facilities to deploy equipment operating in the 3650-3700 MHz band, we have depending on the rules adopted by the FCC in April 2015. However, we have held any investment for further deployment due to uncertainties introduced by this new proposed rulemaking in Docket No. 17-258.

We **oppose** the suggested changes in the Priority Access License ("PAL") where such licensing is decided on auctions based on Partial Economic Areas ("PEAs"). Such a change would foreclose availability of access to PALs; a small company such as ourselves simply could not afford to participate. This limits participation to the extremely large carriers – who, by the way, have an incredibly poor record of investment in rural communities. Such a change would greatly reduce choice, eliminate competition, and in doing so harm rural customers and harm small companies who serve these customers. A change to auctions based on PEAS will have the opposite of intended results: it will reduce investment and innovation in rural America. Thus we strongly encourage the Commission to retain the Census Tract based PALs as written in the April 2015 Report and Order.

Further, having read a number of comments on this Docket, we completely agree and second the comments made by the NTCA – The Rural Broadband Association ("NTCA") in section II of their filing "SECTION 309(j) REQUIRES AN AUCTION DESIGN THAT ENSURES SMALL BUSINESS AND RURAL CARRIER PARTICIPATION IN THE AUCTION AND PROVISION OF SERVICE." Without repeating all the NTCA comments, it seems like the objective of Docket No. 17-258 is to have the FCC pick winners as regards the 3650-3700 MHz band. Such an outcome is at odds with the mandates of Section 309(j) of the Communications Act of 1934, as amended ("the Act") in particular to these two objectives:

(A) the development and rapid deployment of new technologies, products and services for the benefit of the public *including those residing in rural areas*, without administrative or judicial delays; and

(B) *promoting economic opportunity and competition* and ensuring that new and innovative technologies are readily accessible to the American people by *avoiding excessive concentration of licenses and by disseminating licenses among a wide variety of applicants, including small businesses, rural telephone companies, and businesses owned by members of minority groups and women.*

[47 U.S.C. §151 (emphasis added)]

Further, we do **not** support the proposal to lengthen the terms for PALs. There is no benefit to anyone by lengthening these terms unless the goal is to warehouse spectrum or to slow down, even completely eliminate, the entry of competition. Nothing prevents any interested provider from participating in PAL auctions under the existing rules.

In summary, we implore the Commission to maintain the rules as laid out in the April 2015 Report and Order. We strongly oppose the changes suggested in WC Docket No. 17-258. Thank you for allowing our participation in this proceeding.

Respectfully,

Eastern Oregon Net, Inc.

By

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